



Substitute House Bill No. 6702

Public Act No. 13-214

AN ACT CONCERNING DOMESTIC VIOLENCE AND SEXUAL ASSAULT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (a) of section 53a-32 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) At any time during the period of probation or conditional discharge, the court or any judge thereof may issue a warrant for the arrest of a defendant for violation of any of the conditions of probation or conditional discharge, or may issue a notice to appear to answer to a charge of such violation, which notice shall be personally served upon the defendant. Any such warrant shall authorize all officers named therein to return the defendant to the custody of the court or to any suitable detention facility designated by the court. Whenever a probation officer has probable cause to believe that a person has violated a condition of such person's probation, such probation officer may notify any police officer that such person has, in such officer's judgment, violated the conditions of such person's probation and such notice shall be sufficient warrant for the police officer to arrest such person and return such person to the custody of the court or to any suitable detention facility designated by the court. Whenever a

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probation officer so notifies a police officer, the probation officer shall notify the victim of the offense for which such person is on probation, and any victim advocate assigned to assist the victim, provided the probation officer has been provided with the name and contact information for such victim or victim advocate. Any probation officer may arrest any defendant on probation without a warrant or may deputize any other officer with power to arrest to do so by giving such other officer a written statement setting forth that the defendant has, in the judgment of the probation officer, violated the conditions of the defendant's probation. Such written statement, delivered with the defendant by the arresting officer to the official in charge of any correctional center or other place of detention, shall be sufficient warrant for the detention of the defendant. After making such an arrest, such probation officer shall present to the detaining authorities a similar statement of the circumstances of violation. Provisions regarding release on bail of persons charged with a crime shall be applicable to any defendant arrested under the provisions of this section. Upon such arrest and detention, the probation officer shall immediately so notify the court or any judge thereof.

Sec. 2. Subparagraph (K) of subdivision (7) of subsection (b) of section 54-203 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(K) Subject to the provisions of section 53a-32, as amended by this act, the victim and any victim advocate assigned to assist the victim may receive notification from a probation officer whenever the officer has notified a police officer that the probation officer has probable cause to believe that the offender has violated a condition of such offender's probation.

Sec. 3. Subsection (j) of section 46b-38c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

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(j) The Judicial Department shall establish an ongoing training program for judges, Court Support Services Division personnel, guardians ad litem and clerks to inform them about the policies and procedures of sections 46b-1, 46b-15, 46b-38a to 46b-38f, inclusive, and 54-1g, including, but not limited to, the function of the family violence intervention units and the use of restraining and protective orders.

Sec. 4. Section 47a-11e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Notwithstanding the provisions of this chapter and chapter 831, for rental agreements entered into or renewed on or after January 1, 2011, any tenant who (1) is a victim of family violence, as defined in section 46b-38a, and (2) reasonably believes it is necessary to vacate the dwelling unit due to fear of imminent harm to the tenant or a dependent of the tenant because of family violence, may terminate his or her rental agreement with the landlord for the dwelling unit that the tenant occupies without penalty or liability for the remaining term of the rental agreement by giving written notice to the landlord at least thirty days prior to the date the tenant intends to terminate the rental agreement. Notwithstanding the provisions of this chapter and chapter 831, for rental agreements entered into or renewed on or after January 1, 2014, any tenant who (A) is a victim of sexual assault under any provision of section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b or 53a-73a, or is the parent or guardian with physical custody of a dependent who is the victim of sexual assault under section 53a-70c, and (B) reasonably believes it is necessary to vacate the dwelling unit due to fear of imminent harm to the tenant or a dependent of the tenant because of such sexual assault, may terminate his or her rental agreement with the landlord for the dwelling unit that the tenant occupies without penalty or liability for the remaining term of the rental agreement by giving written notice to the landlord at least thirty days prior to the date the tenant intends to terminate the rental

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agreement.

(b) Such notice shall include: (1) A statement made under oath or affirmation that (A) the tenant or a dependent of the tenant is a victim of family violence or sexual assault, as the case may be; (B) the tenant intends to terminate the rental agreement and the date of such intended termination; and (C) the tenant has vacated the premises and removed all of his or her possessions and personal effects or, prior to the date of such termination, will vacate the premises and remove all of his or her possessions and personal effects and, if such possessions and personal effects have not been removed by the date of such termination, has abandoned such possessions and personal effects; and (2) (A) a copy of a police or court record detailing an act of family violence or sexual assault against the tenant or the tenant's dependent that is dated not more than ninety days prior to the date of the tenant's notice, or (B) a signed written statement from an employee of the Office of Victim Services within the Judicial Department or the Office of Victim Advocate detailing an act of family violence or sexual assault against the tenant or the tenant's dependent that is dated not more than thirty days prior to the date of the tenant's notice.

(c) The tenant's termination of his or her rental agreement with the landlord pursuant to this section shall not relieve (1) the tenant from liability to the landlord for any rent arrearage incurred prior to such termination of the rental agreement or from liability to the landlord for property damage caused by the tenant, or (2) any other tenant from liability to the landlord under the rental agreement.

(d) If the tenant terminates his or her rental agreement with the landlord pursuant to this section, any occupant without the right or privilege to occupy such dwelling unit shall vacate the premises prior to the date of such termination.

(e) If such tenant or occupant fails to vacate the premises as of the

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date of such termination, the landlord may bring an action pursuant to chapter 832.

(f) The landlord may bring an action in the housing session of the Superior Court for injunctive relief to prevent the termination of the rental agreement if the requirements set forth in this section for such termination have not been satisfied.

Sec. 5. Subsection (a) of section 8-357 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) The state, acting by and in the discretion of the Commissioner of Economic and Community Development, may enter into a contract with a community housing development corporation, a municipal developer or a nonprofit corporation for state financial assistance in the form of a state grant-in-aid, loan, deferred loan, loan guarantee or interest subsidy for the cost of acquisition, construction, rehabilitation or renovation of multifamily dwellings for persons and families whose adjusted monthly income does not exceed fifty per cent of the median household income, as determined by the commissioner, for the area in which they reside and who have received emergency shelter services or shelter services for [battered women] victims of domestic violence and are in need of transitional housing and support services for a period of six to twenty-four months. Such housing and services shall be designed to enable such persons to maintain their current jobs, improve their employment skills, retrain for different occupations or continue their education. Such services may include, without limitation, information and referral; counseling and support groups; aid in finding vocational training, education or employment; health, nutrition, fitness and recreation programs; child care; transportation; legal aid; and financial counseling. In the case of a deferred loan, the contract shall require that payments on interest are due immediately but that payments on principal may be made at a later time.

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Sec. 6. Subparagraph (B) of subdivision (7) of section 12-81 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(B) On and after July 1, 1967, housing subsidized, in whole or in part, by federal, state or local government and housing for persons or families of low and moderate income shall not constitute a charitable purpose under this section. As used in this subdivision, "housing" shall not include real property used for temporary housing belonging to, or held in trust for, any corporation organized exclusively for charitable purposes and exempt from taxation for federal income tax purposes, the primary use of which property is one or more of the following: (i) An orphanage; (ii) a drug or alcohol treatment or rehabilitation facility; (iii) housing for homeless individuals, mentally or physically handicapped individuals or persons with intellectual disability, or for [battered or abused women and children] victims of domestic violence; (iv) housing for ex-offenders or for individuals participating in a program sponsored by the state Department of Correction or Judicial Branch; and (v) short-term housing operated by a charitable organization where the average length of stay is less than six months. The operation of such housing, including the receipt of any rental payments, by such charitable organization shall be deemed to be an exclusively charitable purpose;

Sec. 7. Subsection (b) of section 17a-101 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) The following persons shall be mandated reporters: Any physician or surgeon licensed under the provisions of chapter 370, any resident physician or intern in any hospital in this state, whether or not so licensed, any registered nurse, licensed practical nurse, medical examiner, dentist, dental hygienist or psychologist, a school employee, as defined in section 53a-65, social worker, police officer, juvenile or

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adult probation officer, juvenile or adult parole officer, member of the clergy, pharmacist, physical therapist, optometrist, chiropractor, podiatrist, mental health professional or physician assistant, any person who is a licensed or certified emergency medical services provider, any person who is a licensed or certified alcohol and drug counselor, any person who is a licensed marital and family therapist, any person who is a sexual assault counselor or a [battered women's] domestic violence counselor, as defined in section 52-146k, as amended by this act, any person who is a licensed professional counselor, any person who is a licensed foster parent, any person paid to care for a child in any public or private facility, child day care center, group day care home or family day care home licensed by the state, any employee of the Department of Children and Families, any employee of the Department of Public Health who is responsible for the licensing of child day care centers, group day care homes, family day care homes or youth camps, the Child Advocate and any employee of the Office of the Child Advocate and any family relations counselor, family relations counselor trainee or family services supervisor employed by the Judicial Department.

Sec. 8. Subdivision (1) of subsection (a) of section 17b-112a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(1) "Victim of domestic violence" means a person who has been [battered] abused or subjected to extreme cruelty by: (A) Physical acts that resulted in or were threatened to result in physical injury; (B) sexual abuse; (C) sexual activity involving a child in the home; (D) being forced to participate in nonconsensual sexual acts or activities; (E) threats of or attempts at physical or sexual abuse; (F) mental abuse; or (G) neglect or deprivation of medical care; and

Sec. 9. Subsection (a) of section 17b-407 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective*

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October 1, 2013):

(a) Any physician or surgeon licensed under the provisions of chapter 370, any resident physician or intern in any hospital in this state, whether or not so licensed, and any registered nurse, licensed practical nurse, medical examiner, dentist, optometrist, chiropractor, podiatrist, social worker, clergyman, police officer, pharmacist, physical therapist, long-term care facility administrator, nurse's aide or orderly in a long-term care facility, any person paid for caring for a patient in a long-term care facility, any staff person employed by a long-term care facility and any person who is a sexual assault counselor or a [battered women's] domestic violence counselor as defined in section 52-146k, as amended by this act, who has reasonable cause to suspect or believe that a resident in a long-term care facility has been abused, neglected, exploited or abandoned, or is in a condition that is the result of such abuse, neglect, exploitation or abandonment, shall, not later than seventy-two hours after such suspicion or belief arose, report such information or cause a report to be made in any reasonable manner to the Commissioner of Social Services pursuant to chapter 319dd. Any person required to report under the provision of this section who fails to make such report within the prescribed time period shall be fined not more than five hundred dollars, except that, if such person intentionally fails to make such report within the prescribed time period, such person shall be guilty of a class C misdemeanor for the first offense and a class A misdemeanor for any subsequent offense.

Sec. 10. Subsection (a) of section 46a-11b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any physician or surgeon licensed under the provisions of chapter 370, any resident physician or intern in any hospital in this state, whether or not so licensed, any registered nurse, any person paid

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for caring for persons in any facility and any licensed practical nurse, medical examiner, dental hygienist, dentist, occupational therapist, optometrist, chiropractor, psychologist, podiatrist, social worker, school teacher, school principal, school guidance counselor, school paraprofessional, mental health professional, physician assistant, licensed or certified substance abuse counselor, licensed marital and family therapist, speech and language pathologist, clergyman, police officer, pharmacist, physical therapist, licensed professional counselor or sexual assault counselor or [battered women's] domestic violence counselor, as defined in section 52-146k, as amended by this act, who has reasonable cause to suspect or believe that any person with intellectual disability has been abused or neglected shall, as soon as practicable but not later than seventy-two hours after such person has reasonable cause to suspect or believe that a person with intellectual disability has been abused or neglected, report such information or cause a report to be made in any reasonable manner to the director or persons the director designates to receive such reports. Such initial report shall be followed up by a written report not later than five calendar days after the initial report was made. Any person required to report under this subsection who fails to make such report shall be fined not more than five hundred dollars.

Sec. 11. Subsection (f) of section 46b-38b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(f) The Police Officer Standards and Training Council, in conjunction with the Division of Criminal Justice, shall establish an education and training program for law enforcement officers, supervisors and state's attorneys on the handling of family violence incidents. Training under such program shall: (1) Stress the enforcement of criminal law in family violence cases and the use of community resources, and include training for peace officers at both

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recruit and in-service levels; and (2) include, but not be limited to: (A) The nature, extent and causes of family violence; (B) legal rights of and remedies available to victims of family violence and persons accused of family violence; (C) services and facilities available to victims and [batterers] persons who commit acts of family violence; (D) legal duties imposed on police officers to make arrests and to offer protection and assistance, including applicable probable cause standards; and (E) techniques for handling incidents of family violence that minimize the likelihood of injury to the officer and promote the safety of the victim. On and after July 1, 2010, training under such program shall also include, within available appropriations, information on (i) the impact of arrests of multiple parties in a family violence case on the immigration status of the parties; (ii) crime scene investigation and evaluation practices in family violence cases designed by the council to reduce the number of multiple arrests in family violence cases; and (iii) practical considerations in the application of [state] the general statutes related to family violence. On and after July 1, 2010, such training shall also address, within available appropriations, eligibility for federal T Visas for victims of human trafficking and federal U Visas for unauthorized immigrants who are victims of family violence and other crimes.

Sec. 12. Subsection (d) of section 46b-38c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(d) In all cases of family violence, a written or oral report that indicates whether the parties in the family violence case are parties to a case pending on the family relations docket of the Superior Court and includes recommendation of the local family violence intervention unit shall be available to a judge at the first court date appearance to be presented at any time during the court session on that date. A judge of the Superior Court may consider and impose the following conditions

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to protect the parties, including, but not limited to: (1) Issuance of a protective order pursuant to subsection (e) of this section; (2) prohibition against subjecting the victim to further violence; (3) referral to a family violence education program for [batterers] persons who commit acts of family violence; and (4) immediate referral for more extensive case assessment. Such protective order shall be an order of the court, and the clerk of the court shall cause (A) a copy of such order to be sent to the victim, and (B) a copy of such order, or the information contained in such order, to be sent by facsimile or other means within forty-eight hours of its issuance to the law enforcement agency for the town in which the victim resides and, if the defendant resides in a town different from the town in which the victim resides, to the law enforcement agency for the town in which the defendant resides. If the victim is employed in a town different from the town in which the victim resides, the clerk of the court shall, upon the request of the victim, send, by facsimile or other means, a copy of such order, or the information contained in such order, to the law enforcement agency for the town in which the victim is employed not later than forty-eight hours after the issuance of such order. If the victim is enrolled in a public or private elementary or secondary school, including a technical high school, or an institution of higher education, as defined in section 10a-55, the clerk of the court shall, upon the request of the victim, send, by facsimile or other means, a copy of such order, or the information contained in such order, to such school or institution of higher education, the president of any institution of higher education at which the victim is enrolled and the special police force established pursuant to section 10a-142, if any, at the institution of higher education at which the victim is enrolled.

Sec. 13. Section 52-146k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) As used in this section:

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(1) ["Battered women's center"] "Domestic violence agency" means any office, shelter, host home or [center] agency offering assistance to [battered women] victims of domestic violence through crisis intervention, emergency shelter referral and medical and legal advocacy, and which meets the Department of Social Services criteria of service provision for such [centers] agencies.

(2) ["Battered women's counselor"] "Domestic violence counselor" means any person engaged in a [battered women's center] domestic violence agency (A) who has undergone a minimum of twenty hours of training which shall include, but not be limited to, the dynamics of [battering] domestic violence, crisis intervention, communication skills, working with diverse populations, an overview of the state criminal justice system and information about state and community resources for [battered women] victims of domestic violence, (B) who is certified as a counselor by the [battered women's center which] domestic violence agency that provided such training, (C) who is under the control of a direct service supervisor of a [battered women's center] domestic violence agency, and (D) whose primary purpose is the rendering of advice, counsel and assistance to, and the advocacy of the cause of, [battered women] victims of domestic violence.

(3) "Confidential communication" means information transmitted between a victim of [a battering] domestic violence or a victim of a sexual assault and a [battered women's] domestic violence counselor or a sexual assault counselor in the course of that relationship and in confidence by a means which, so far as the victim is aware, does not disclose the information to a third person other than any person who is present to further the interests of the victim in the consultation or any person to whom disclosure is reasonably necessary for the transmission of the information or for the accomplishment of the purposes for which such counselor is consulted, and includes all information received by, and any advice, report or working paper

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given or made by, such counselor in the course of the relationship with the victim.

(4) "Rape crisis center" means any office, institution or center offering assistance to victims of sexual assault and their families through crisis intervention, medical and legal advocacy and follow-up counseling.

(5) "Sexual assault counselor" means (A) any person engaged in a rape crisis center who (i) has undergone a minimum of twenty hours of training which shall include, but not be limited to, the dynamics of sexual assault and incest, crisis intervention, communication skills, working with diverse populations, an overview of the state criminal justice system, information about hospital and medical systems and information about state and community resources for sexual assault victims, (ii) is certified as a counselor by the sexual assault center which has provided such training, (iii) is under the control of a direct services supervisor of a rape crisis center, and (iv) whose primary purpose is the rendering of advice, counseling and assistance to, and the advocacy of the cause of, victims of sexual assault, or (B) any member of the armed forces of the state or the United States who is trained and certified as a victim advocate or a sexual assault prevention coordinator in accordance with the military's sexual assault prevention and response program.

(6) "Victim" means any person who consults a [battered women's] domestic violence counselor or a sexual assault counselor for the purpose of securing advice, counseling or assistance concerning a mental, physical or emotional condition caused by [a battering] domestic violence or a sexual assault.

(b) On or after October 1, 1983, a [battered women's] domestic violence counselor or a sexual assault counselor shall not disclose any confidential communications made to such counselor at any time by a

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victim in any civil or criminal case or proceeding or in any legislative or administrative proceeding unless the victim making the confidential communications waives the privilege, provided under no circumstances shall the location of the [battered women's center] domestic violence agency or rape crisis center or the identity of the [battered women's] domestic violence counselor or sexual assault counselor be disclosed in any civil or criminal proceeding. Any request made on or after October 1, 1983, by the defendant or the state for such confidential communications shall be subject to the provisions of this subsection.

(c) When a victim is deceased or has been adjudged incompetent by a court of competent jurisdiction, the guardian of the victim or the executor or administrator of the estate of the victim may waive the privilege established by this section.

(d) A minor may knowingly waive the privilege established by this section. In any instance where the minor is, in the opinion of the court, incapable of knowingly waiving the privilege, the parent or guardian of the minor may waive the privilege on behalf of the minor, provided [such] the parent or guardian is not the defendant and does not have a relationship with the defendant such that [he] the parent or guardian has an interest in the outcome of the proceeding.

(e) The privilege established by this section shall not apply: (1) In matters of proof concerning chain of custody of evidence; (2) in matters of proof concerning the physical appearance of the victim at the time of the injury; or (3) where the [battered women's] domestic violence counselor or sexual assault counselor has knowledge that the victim has given perjured testimony and the defendant or the state has made an offer of proof that perjury may have been committed by the victim.

(f) The failure of any party to testify as a witness pursuant to the

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provisions of this section shall not result in an inference unfavorable to the state's cause or to the cause of the defendant.

Sec. 14. Subsection (d) of section 54-209 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(d) In instances where a violation of section 53-21, 53a-70, 53a-70a, 53a-70b, 53a-70c, 53a-71, 53a-72a, 53a-72b or 53a-73a has been alleged, the Office of Victim Services or, on review, a victim compensation commissioner may order compensation be paid if (1) the personal injury has been disclosed to: (A) A physician or surgeon licensed under chapter 370; (B) a resident physician or intern in any hospital in this state, whether or not licensed; (C) a physician assistant licensed under chapter 370; (D) an advanced practice registered nurse, registered nurse or practical nurse licensed under chapter 378; (E) a psychologist licensed under chapter 383; (F) a police officer; (G) a mental health professional; (H) an emergency medical services provider licensed or certified under chapter 368d; (I) an alcohol and drug counselor licensed or certified under chapter 376b; (J) a marital and family therapist licensed under chapter 383a; (K) a domestic violence counselor or a sexual assault counselor, [or battered women's counselor] as defined in section 52-146k, as amended by this act; (L) a professional counselor licensed under chapter 383c; (M) a clinical social worker licensed under chapter 383b; or (N) an employee of the Department of Children and Families; and (2) the office or commissioner, as the case may be, reasonably concludes that a violation of any of said sections has occurred.

Sec. 15. Section 18-87j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

There is established a Criminal Justice Policy Advisory Commission which shall be within the Office of Policy and Management for

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administrative purposes only. The commission shall consist of the undersecretary of the Criminal Justice Policy and Planning Division within the Office of Policy and Management, the Chief Court Administrator, the Commissioner of Correction, the Commissioner of Public Safety, the Chief State's Attorney, the Chief Public Defender, the Commissioner of Mental Health and Addiction Services and the chairperson of the Board of Pardons and Paroles, or their designees, the executive director of the Court Support Services Division or other designee of the Chief Court Administrator and the following members, each of whom shall be appointed by the Governor: Three government officials, a police chief, [two] three persons representing offender and victim services within the private community and two public members. In addition, the Labor Commissioner and the Commissioner of Social Services, or their designees, shall be members of the commission with authority to deliberate and vote on matters concerning employment and entitlement programs available to adult and juvenile offenders who are reentering the community, and the Commissioner of Children and Families and the Commissioner of Education, or their designees, shall be members of the commission with authority to participate and vote on matters concerning juvenile justice. The undersecretary of the Criminal Justice Policy and Planning Division shall serve as chairperson of the commission. The commission shall meet at such times as it deems necessary.

Sec. 16. (NEW) (*Effective July 1, 2013*) The Chief Court Administrator shall provide in each court where family matters or family violence matters are heard or where a domestic violence docket, as defined in section 51-181e of the general statutes, is located a secure room for victims of family violence crimes and advocates for victims of family violence crimes which is separate from any public or private area of the court intended to accommodate the respondent or defendant or the respondent's or defendant's family, friends, attorneys or witnesses and separate from the office of the state's attorney, provided such a room is

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available and the use of such room is practical.

Sec. 17. Section 29-36k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Not later than two business days after the occurrence of any event that makes a person ineligible to possess a pistol or revolver or other firearm, such person shall (1) transfer in accordance with section 29-33 all pistols and revolvers which such person then possesses to any person eligible to possess a pistol or revolver and transfer in accordance with any applicable state and federal laws all other firearms to any person eligible to possess such other firearms by obtaining an authorization number for the sale or transfer of the firearm from the Commissioner of Emergency Services and Public Protection, and submit a sale or transfer of firearms form to said commissioner within two business days, except that a person [described in subdivision (3) of subsection (a) of section 53a-217] subject to a restraining or protective order or a foreign order of protection may only transfer a pistol, revolver or other firearm under this subdivision to a federally licensed firearms dealer pursuant to the sale of the pistol, revolver or other firearm to the federally licensed firearms dealer, or (2) deliver or surrender such pistols and revolvers and other firearms to the Commissioner of Emergency Services and Public Protection. The commissioner shall exercise due care in the receipt and holding of such pistols and revolvers and other firearms. For the purposes of this section, a ["person described in subdivision (3) of subsection (a) of section 53a-217" means a person described in said subdivision, regardless of whether such person was convicted under said subdivision] "person subject to a restraining or protective order or a foreign order of protection" means a person who knows that such person is subject to (A) a restraining or protective order of a court of this state that has been issued against such person, after notice and an opportunity to be heard has been provided to such person, in a case

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involving the use, attempted use or threatened use of physical force against another person, or (B) a foreign order of protection, as defined in section 46b-15a, that has been issued against such person in a case involving the use, attempted use or threatened use of physical force against another person.

(b) Such person, or such person's legal representative, may, at any time up to one year after such delivery or surrender, transfer such pistols and revolvers in accordance with the provisions of section 29-33 to any person eligible to possess a pistol or revolver and transfer such other firearms, in accordance with any applicable state and federal laws, to any person eligible to possess such other firearms, provided any [such person described in subdivision (3) of subsection (a) of section 53a-217] person subject to a restraining or protective order or a foreign order of protection, or such person's legal representative, may only transfer such pistol, revolver or other firearm to a federally licensed firearms dealer pursuant to the sale of the pistol, revolver or other firearm to the federally licensed firearms dealer. Upon notification in writing by the transferee and such person, the Commissioner of Emergency Services and Public Protection shall, within ten days, deliver such pistols and revolvers or other firearms to the transferee. If, at the end of such year, such pistols and revolvers or other firearms have not been so transferred, the commissioner shall cause them to be destroyed.

(c) Any person who fails to transfer, deliver or surrender any such pistols and revolvers and other firearms as provided in this section shall be subject to the penalty provided for in section 53a-217 or 53a-217c.

Sec. 18. Section 29-36n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) The Commissioner of Emergency Services and Public Protection,

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in conjunction with the Chief State's Attorney and the Connecticut Police Chiefs Association, shall develop a protocol to ensure that persons who become ineligible to possess a pistol or revolver or other firearm have, in accordance with section 29-36k, as amended by this act, transferred such pistol or revolver or other firearm to a person eligible to possess such pistol or revolver or other firearm or have delivered or surrendered such pistol or revolver or other firearm to said commissioner. Such protocol shall include provisions to ensure that a person who becomes ineligible to possess a pistol or revolver or other firearm because such person is subject to a restraining or protective order or a foreign order of protection, as defined in section 29-36k, as amended by this act, transfers such pistol or revolver or other firearm, or delivers or surrenders such pistol or revolver or other firearm, pursuant to arrangements made with an organized local police department or the Division of State Police in advance of such transfer, delivery or surrender.

(b) The Commissioner of Emergency Services and Public Protection, in conjunction with the Chief State's Attorney and the Connecticut Police Chiefs Association, shall update the protocol developed pursuant to subsection (a) of this section to reflect the provisions of sections 29-7h, 29-28, 29-28a, 29-29, 29-30, 29-32 and 29-35, subsections (b) and (e) of section 46b-15, subsections (c) and (d) of section 46b-38c, as amended by this act, and sections 53-202a, 53-202l, 53-202m and 53a-217 and shall include in such protocol specific instructions for the transfer, delivery or surrender of pistols and revolvers and other firearms when the assistance of more than one law enforcement agency is necessary to effect the requirements of section 29-36k, as amended by this act.

Sec. 19. (*Effective from passage*) (a) The Chief Court Administrator shall develop a plan to include temporary financial support as part of the relief available, when appropriate, to an applicant for a restraining

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order under section 46b-15 of the general statutes. The Chief Court Administrator shall develop such plan after consultation with state agencies and private organizations and advocates with experience in filing restraining order applications or in providing advocacy or services to domestic violence victims. The plan shall include: (1) An assessment of best practices established by other states, if any, with respect to such temporary financial support; (2) recommended procedures for determining (A) the assets available to an applicant and respondent pursuant to an application filed under section 46b-15 of the general statutes, (B) the respondent's ability to pay such temporary financial support, and (C) the amount of temporary financial support necessary to maintain the safety and basic needs of the applicant, if the respondent has a duty to support the applicant, or the respondent's dependent children; (3) recommended procedures for collecting the amount of any such temporary financial support owed by the respondent; (4) strategies for establishing the necessary court procedures to facilitate the inclusion of temporary financial support in court orders made under section 46b-15 of the general statutes; (5) an assessment of the feasibility of making such temporary financial support available to persons who are eligible to apply for restraining orders as family or household members, as defined in section 46b-38a of the general statutes, but for whom the respondent is not obligated to furnish support as provided in section 46b-215 of the general statutes; and (6) recommendations for legislation and other measures to implement the plan.

(b) Not later than January 15, 2014, the Chief Court Administrator shall submit the plan developed pursuant to subsection (a) of this section to the speaker of the House of Representatives' Task Force on Domestic Violence and the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary, in accordance with the provisions of section 11-4a of the general statutes.

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Sec. 20. (*Effective from passage*) The Chief Court Administrator shall conduct an assessment of any training programs for judges and Judicial Branch staff related to family violence, including, but not limited to, the ongoing training program for judges, Court Support Services Division personnel and clerks established in subsection (j) of section 46b-38c of the general statutes, as amended by this act. At a minimum, such assessment shall compare such training programs to those of other northeastern states. Not later than December 31, 2013, the Chief Court Administrator shall submit a report on the assessment to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary, in accordance with section 11-4a of the general statutes.

Sec. 21. (*Effective from passage*) (a) There is established a task force to study the feasibility of amending title 46b of the general statutes to permit a person other than a family or household member, as defined in section 46b-38a of the general statutes, to apply for a restraining order pursuant to section 46b-15 of the general statutes. Such study shall include an evaluation of the feasibility of permitting victims of certain crimes, including sexual assault and stalking, who are not family or household members of the offender to obtain a restraining order pursuant to section 46b-15 of the general statutes.

(b) The task force shall consist of the following members:

(1) The cochairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary, or their designees chosen from among the members of the committee;

(2) The Chief Court Administrator;

(3) The Chief State's Attorney, or the Chief State's Attorney's designee;

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(4) Three members, one of whom shall represent the civil division of the Judicial Branch, one of whom shall represent the criminal division of the Judicial Branch and one of whom shall represent the family division of the Judicial Branch, each appointed by the Chief Justice of the Supreme Court; and

(5) Two representatives of Connecticut Sexual Assault Crisis Services, Inc., appointed by the executive director of Connecticut Sexual Assault Crisis Services, Inc.

(c) All appointments to the task force shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) The Chief Court Administrator shall serve as chairperson of the task force. The Chief Court Administrator shall schedule the first meeting of the task force, which shall be held not later than sixty days after the effective date of this section.

(e) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary shall serve as administrative staff of the task force.

(f) Not later than February 5, 2014, the task force shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or February 5, 2014, whichever is later.

Approved June 25, 2013